

DEC 03 2004

**LAW OFFICE OF STEVEN B. LEAVITT, L.L.P.**  
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**FACSIMILE TRANSMITTAL SHEET**

TO:	United States Patent and Trademark Office	FROM:	Steven Leavitt
COMPANY:		DATE:	12/03/2004
FAX NUMBER:	703-872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	
			11
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	
RE:	Amendment/Reply for Application Number 10/784,707	YOUR REFERENCE NUMBER:	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Please see applicant's response to Office Action transmitted herewith.

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DEC 03 2004

PTO/SB/21 (09-04)

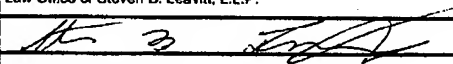
Approved for use through 07/31/2008. OMB 0651-0031

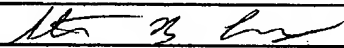
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/784,707
	Filing Date	02/23/2004
	First Named Inventor	Paul F. Manley, Jr.
	Art Unit	1781
	Examiner Name	Sarah Louise Kuhns
	Attorney Docket Number	MANL00001
Total Number of Pages in This Submission		10

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD  <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Credit Card Authorization Form

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Law Office of Steven B. Leavitt, L.L.P.		
Signature			
Printed name	Steven B. Leavitt		
Date	12/03/2004	Reg. No.	45,318

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Steven B. Leavitt	Date 12/03/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (11-04)

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Effective on 10/01/2004. Patent fees are subject to annual revision.

**FEE TRANSMITTAL**  
**For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete If Known**

Application Number

Filing Date

First Named Inventor

Examiner Name

Art Unit

Attorney Docket No.

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order☒ Deposit Account ☐ NoneDeposit  
Account  
No. when  
Deposit  
Account  
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503304

LAW OFFICE OF STEVEN B. LEAVITT

The Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

to the above-identified deposit account.

☐ Other (please identify):

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**FEE CALCULATION****1. BASIC FILING FEE**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	

Subtotal (1) \$ 0

**FEE CALCULATION (continued)****2. EXTRA CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
22	20 or HP = 2	18	18

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3 or HP = 0	0		0

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
0		0

Subtotal (2) \$ 18

**3. OTHER FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	
Other:			

Subtotal (3) \$ 0

**SUBMITTED BY**

Signature

M. B. Leavitt

Registration No.

(Attorney/Agent) 45,318

Telephone

972-412-2671

Name (Print/Type)

STEVEN B. LEAVITT

Date

12/03/2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Paul F. Manley	§	GROUP ART UNIT: 1761
	§	
FILED: February 23, 2004	§	
	§	
INVENTION: Method For Decorating A Fruit Surface	§	EXAMINER: Sarah Louise Kuhns
	§	
	§	
SERIAL No: 10/784,707	§	ATTY FILE: MANL.00001

**RESPONSE**

This paper is filed responsive to the Office action mailed on September 3, 2004.

**AMENDMENTS**

Please amend claims 2, 13 and 14 and add new claims 21 and 22 as shown below, and as indicated in another version of the amended claims, attached hereto as Exhibit A, showing additions and deletions from the original claims.

1. (Amended) A method for decorating fruit with a design, the method comprising the steps of:  
  
selecting a fruit;  
  
selecting a design to decorate the fruit;  
  
printing the design;  
  
coating the fruit with an edible, substantially water-intolerant coating; and  
  
attaching the design to the coated fruit.
2. (Amended) The method of claim 1 wherein the design is printed on an edible sheet.

12/06/2004 MAHME1 00000060 503304 10784707

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